

**JOINT
PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and**

**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201**

REGULATORY DIVISION
Refer to: P/N #2006-1138-2IG-C

4 AUGUST 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**CENTEX HOMES, LLC
C/O NEWKIRK ENVIRONMENTAL, INC.
POST OFFICE BOX 748
MOUNT PLEASANT, SOUTH CAROLINA 29465**

for a permit to place fill material in wetlands adjacent to the

STONO RIVER

At a location, a 410 acre tract of land located south of S. C. Highway 61 and north of U. S. Highway 17 in the West Ashley area of the City of Charleston, Charleston County, South Carolina.
(Latitude 32.8047° - Longitude -80.0756°)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, TUESDAY, SEPTEMBER 5, 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of placing fill material in approximately 1.28 acres of jurisdictional wetlands for construction of access roads and utilities. The applicant also proposes to fill 1.53 acres of non-jurisdictional wetlands for roads, utilities, stormwater management, lot development and amenities. The applicant also will hand clear 0.14 acres of wetlands and construct pedestrian/bicycle/cart bridges, and construct 180 LF of 8' wide pedestrian/bicycle/cart bridges across intertidal wetlands. As mitigation for the proposed impacts, the applicant proposes to preserve and enhance 66.37 acres of freshwater wetlands and 31.64 acres of 35' average width adjacent upland buffers. Additionally the applicant proposes to preserve 29.20 acres of jurisdictional wetlands enhanced by 3.83 acres of upland buffers within boundaries of the Phase I development current underway (OCRM Stormwater Permit #10-05-07-16 issued October 27, 2005). The applicant has requested a twenty year

→ ONLY OCRM critical area impact

4 AUGUST 2006

permit from the Corps of Engineers. The purpose of the proposed work is to construct an economically viable master-planned community.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107.**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the South Carolina Coastal Zone Management Act (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 1.28 acres of freshwater wetlands upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, the District Engineer has determined that the project is not likely to adversely affect any federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

REGULATORY DIVISION

Refer to: P/N #2006-1138-2IG-C

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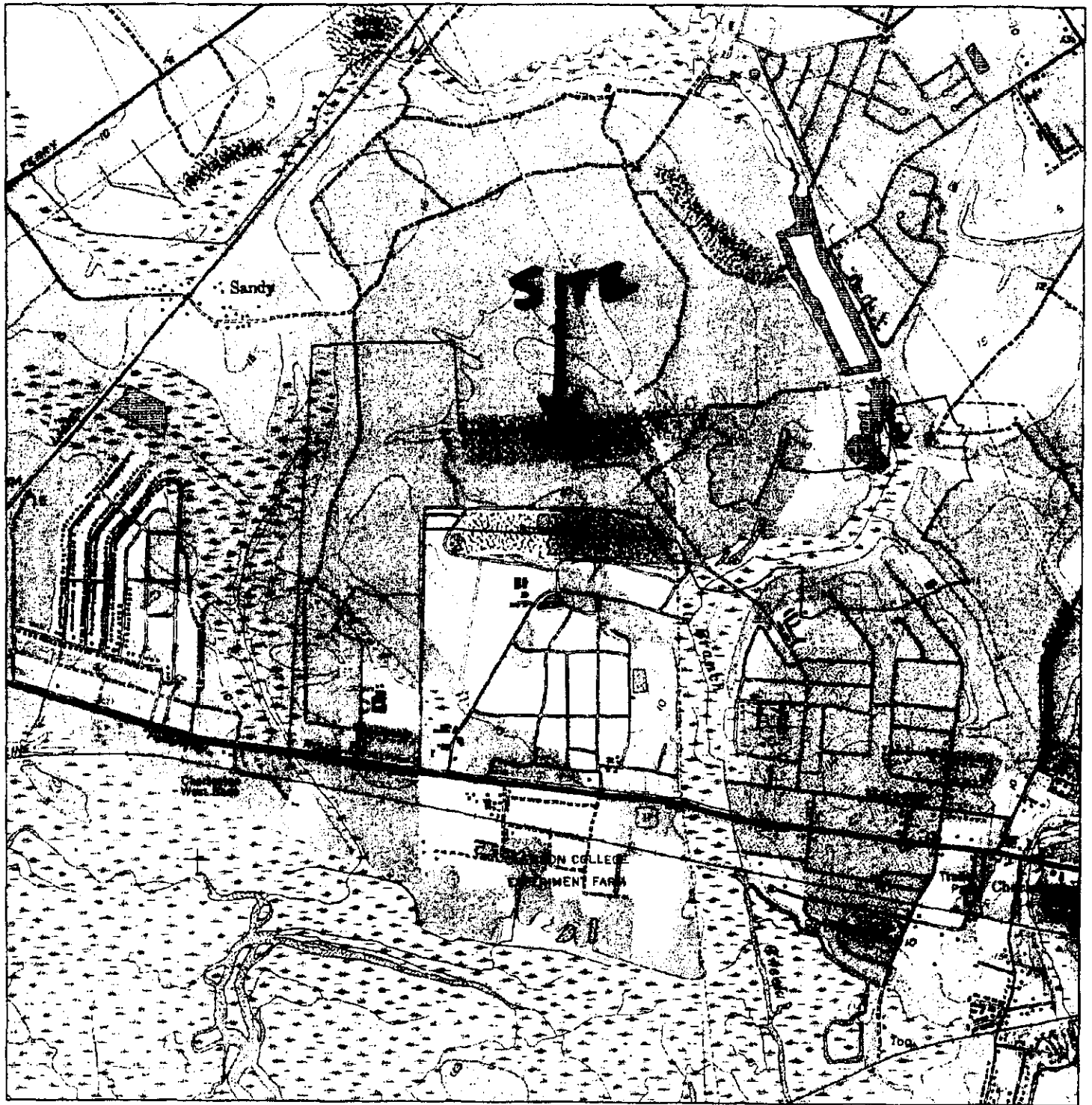
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Mary Hope Glenn at 843-329-8044 or toll free at 1-866-329-8187.

CURTIS JOYNER
OCRM
PROJECT manager



Graphic Scale: 1" = 2000'



North

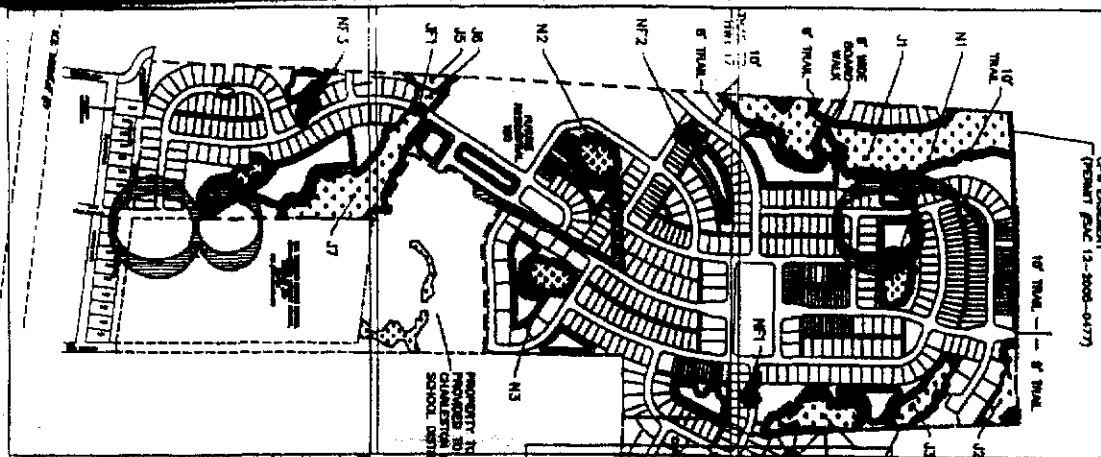
USGS LOCATION MAP
JOHNS ISLAND QUAD
N 32°-48'-27"
W 80°-04'-17"

**SEAMON,
WHITESIDE**
& ASSOCIATES, INC.

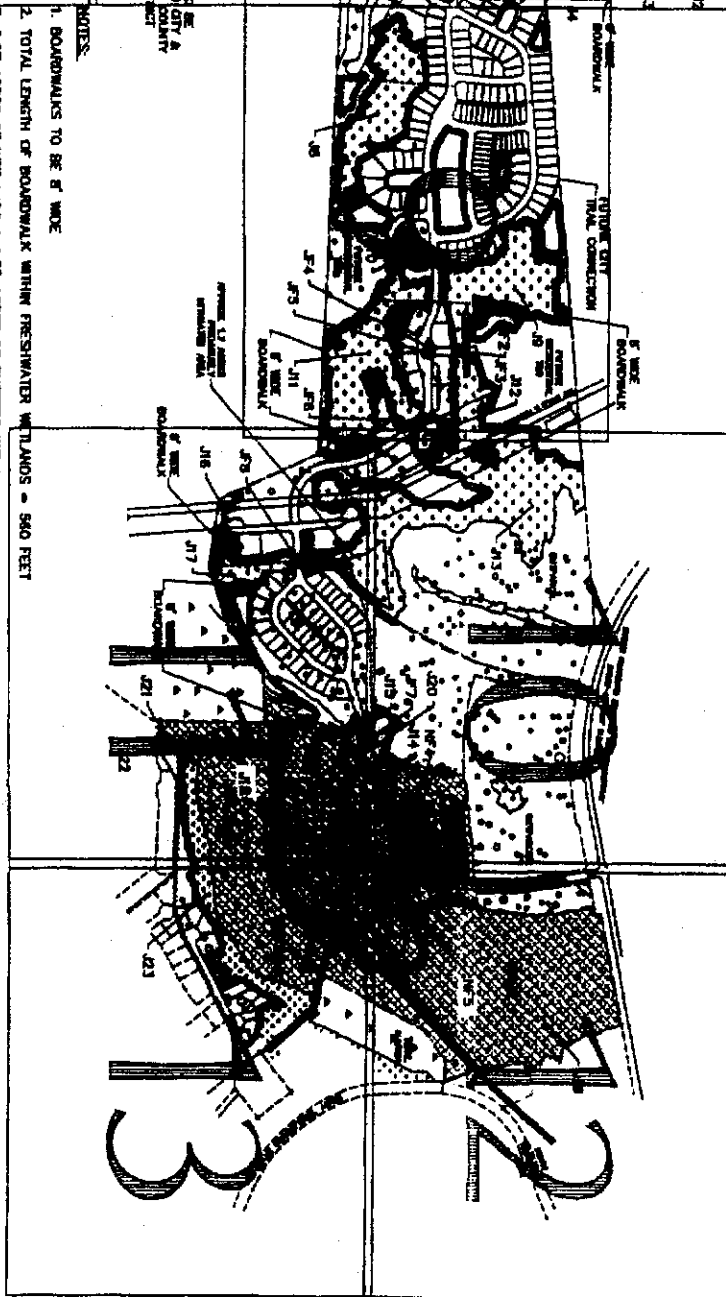
Project: Bolton/Essex Tract Development
Proposed Activity: Residential Development
Applicant: Centex Homes, LLC
County: Charleston County, SC
Date: 05.01.06 Revised 7/26/06

LOCATION MAP

SH 01 of 16



- NOTES:
1. BOARDWALKS TO BE 8' WIDE
 2. TOTAL LENGTH OF BOARDWALK WITHIN FRESHWATER WETLANDS = 560 FEET
 3. 2.87 ACRES OF WETLANDS & 1.33 ACRES OF BURETENS WITHIN EXISTING SCALDS EASEMENT
 4. ALL TRAILS 8' WIDE UNLESS OTHERWISE NOTED



Text Key

- J Jurisdictional Wetland
- JF Jurisdictional Wetland to be Filled
- N Non-Jurisdictional Wetland
- NF Non-Jurisdictional Wetland to be Filled

SEE CHART ATTACHMENT FOR ANNOTATION REGARDING EACH WETLAND AND FILL AREA AS DESIGNATED ON PLAN.

SCALE 1"=1200'



Legend



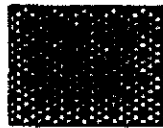
*404 Jurisdictional Wetlands
To Remain*



*404 Jurisdictional Wetlands
To Be Filled*



*Isolated Non-Jurisdictional
Wetlands To Remain*



*Isolated Non-Jurisdictional
Wetlands To Be Filled*



Permitted Phase 1



Wetland Buffer



Boardwalk Clearing
(see wetland chart for clearing acres)



New Trail



New Pond

Wetland Information

	Phase 1 (OCRM Permit 10-05-07-16)	Phase 2	Total
Tract (Acres)			
404 Jurisdictional Wetlands	89.440	410.426	499.866
Isolated Non-Jurisdictional Wetlands	29.206	65.010	94.216
Tidal Marsh	0.458	5.148	5.606
	23.556	1709	25.265
Wetland Impacts -			
404 Jurisdictional Wetland Fill - Road Construction	0.000	1.281	1.281
404 Jurisdictional Wetland Clearing - Boardwalk Construction	0.000	0.144	0.144
Isolated Non-Jurisdictional Wetland Fill - Road Construction	0.104	0.372	0.476
Isolated Non-Jurisdictional Wetland Fill - Development Activities	0.354	1.166	1.520
Total Impacts	0.458	2.963	3.421
Wetland Mitigation -			
404 Jurisdictional Wetlands Preserved	29.206	61.768	90.974
Isolated Non-Jurisdictional Wetlands Preserved	0.000	3.610	3.610
Tidal Marsh	23.556	1709	25.265
Upland Buffer Preserved	3.830	31.646	35.476
Total Mitigation	56.592	98.733	155.325

Boardwalk Over Tidal Marsh
Average Buffer Width
Minimum Buffer Width

8 Feet Wide, 180 Linear Feet
35 Feet
15 Feet

Note: 2.970 Ac. of Wetlands & 1.83 Ac. of Buffers Within Existing SCE&G Easement,
1700 Ac. Removed For Jurisdictional Wetlands Previously Mitigated For Glenn McConnell
Expressway, and 0.117 Ac. Removed For CPW Easement (Permit #SAC 12-2005-0477)

WETLAND INFORMATION

SH 04 of 16

Scale: N.T.S.

Project: Bolton/Essex Tract Development
Proposed Activity: Residential Development
Applicant: Centex Homes, LLC
County: Charleston County, SC
Date: 05.01.06



Wetland Information

PHASE 1

Jurisdictional

J14	0.331 AC.	J18	1.949 AC.
J19	26.922 AC.	J21	0.004 AC.

Non-Jurisdictional

NF4	0.149 AC.	NF5	0.309 AC.
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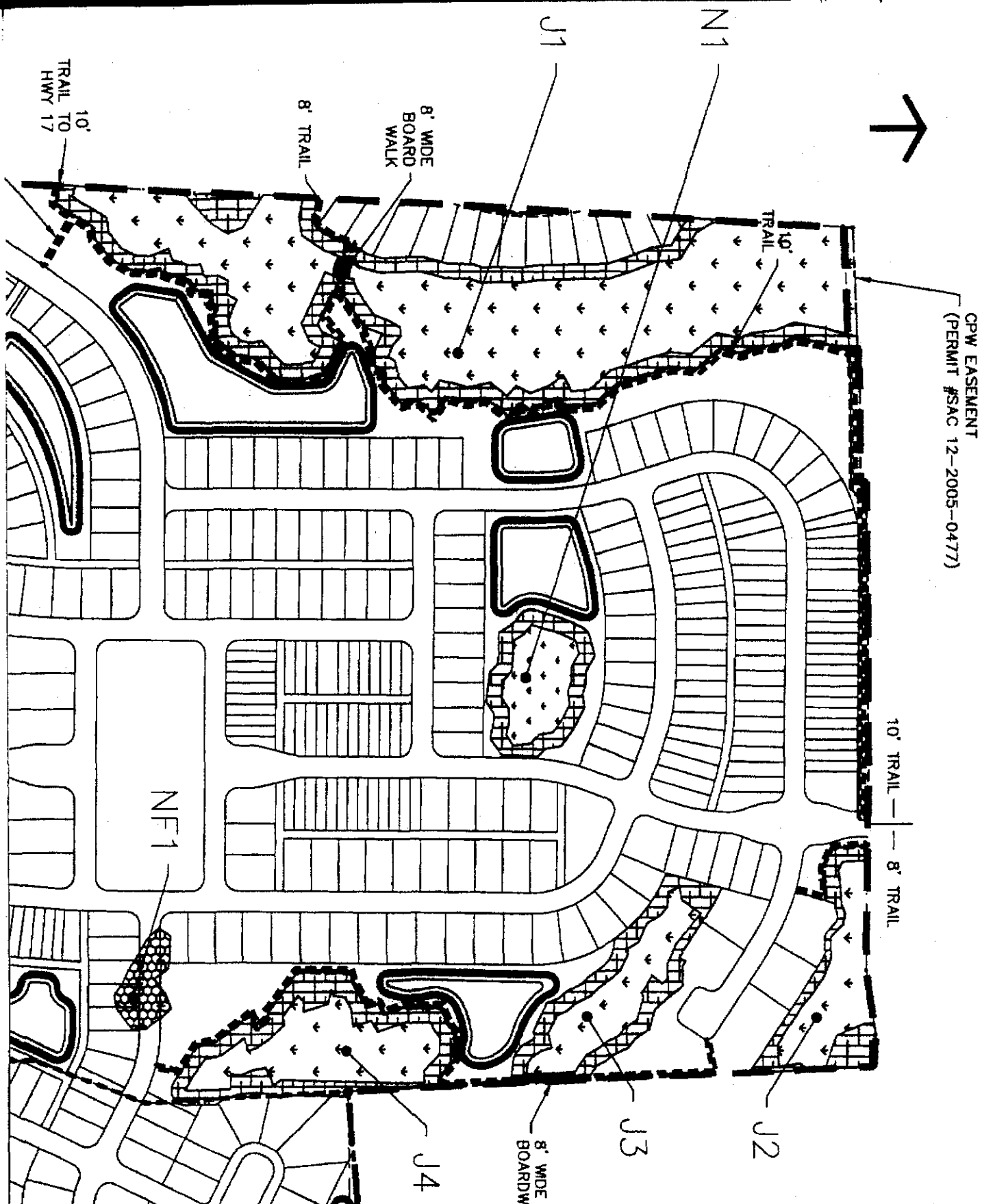
PHASE 2

Jurisdictional

J1	9.038 AC.	J11	7.323 AC.	JF1	0.168 AC.
J2	1.082 AC.	J12	0.473 AC.	JF2	0.069 AC.
J3	1.231 AC.	J13	17.957 AC.	JF3	0.108 AC.
J4	1.698 AC.	J15	0.187 AC.	JF4	0.097 AC.
J5	0.381 AC.	J16	0.332 AC.	JF5	0.070 AC.
J6	0.283 AC.	J17	1.387 AC.	JF6	0.128 AC.
J7	4.330 AC.	J20	0.659 AC.	JF7	0.493 AC.
J8	5.635 AC.	J22	0.096 AC.	JF8	0.148 AC.
J9	5.725 AC.	J23	5.422 AC.		
J10	0.490 AC.				

Non-Jurisdictional

N1	0.842 AC.	NF1	0.456 AC.
N2	0.887 AC.	NF2	0.366 AC.
N3	0.884 AC.	NF3	0.716 AC.
N4	0.997 AC.		

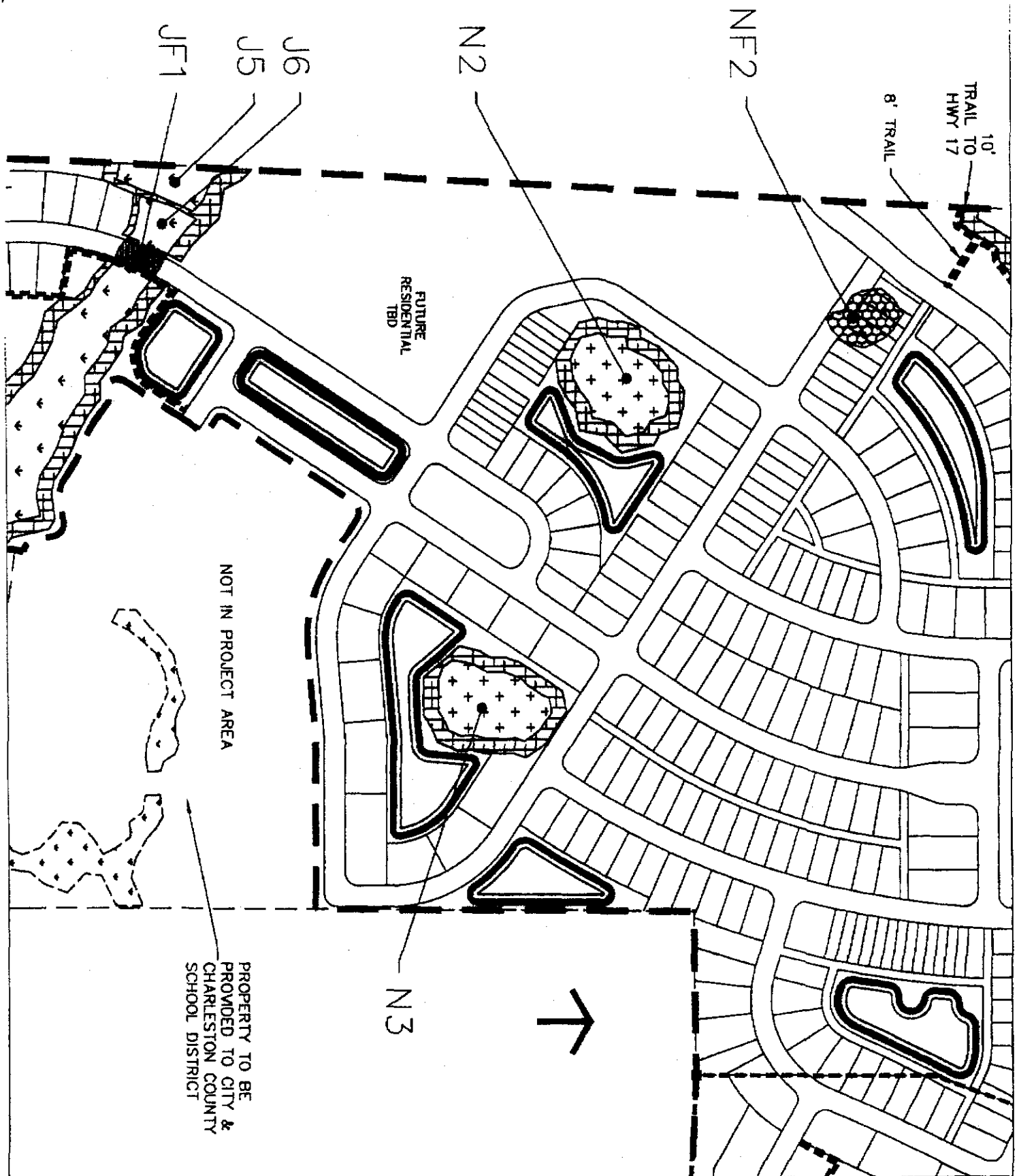


Project: Bolton/Essex Tract Development
 Proposed Activity: Residential Development
 Applicant: Centex Homes, LLC
 County: Charleston County, SC
 Date: 05.01.06

Scale: N.T.S.

**WETLAND
MASTER PLAN**

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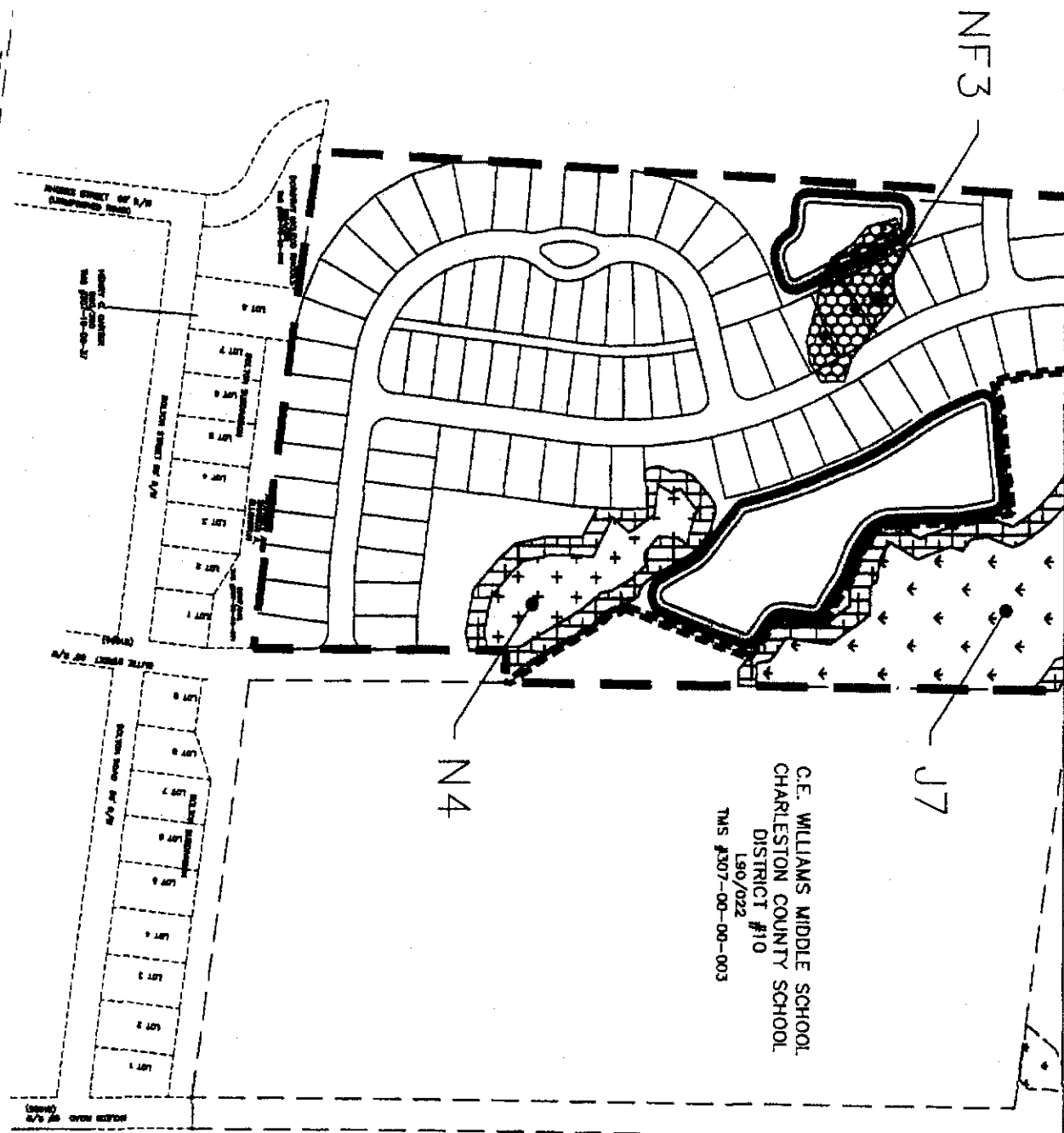
Project: Bolton/Essex Tract Development
 Proposed Activity: Residential Development
 Applicant: Centex Homes, LLC
 County: Charleston County, SC
 Date: 05.01.06

Scale: N.T.S.

**WETLAND
MASTER PLAN**

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U.S. HIGHWAY #17



Project: Bolton/Essex Tract Development
 Proposed Activity: Residential Development
 Applicant: Centex Homes, LLC
 County: Charleston County, SC
 Date: 05.01.06

Scale: N.T.S.

WETLAND
 MASTER PLAN

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J4

FUTURE CITY
TRAIL CONNECTION8' WIDE
BOARDWALKFUTURE
RESIDENTIAL
TBD

J9

JF2

JF3

J12

EXISTING DIRT ROAD

J10

FUTURE
RESIDENTIAL
TBD

J8

JF4

JF5

J11

JF6

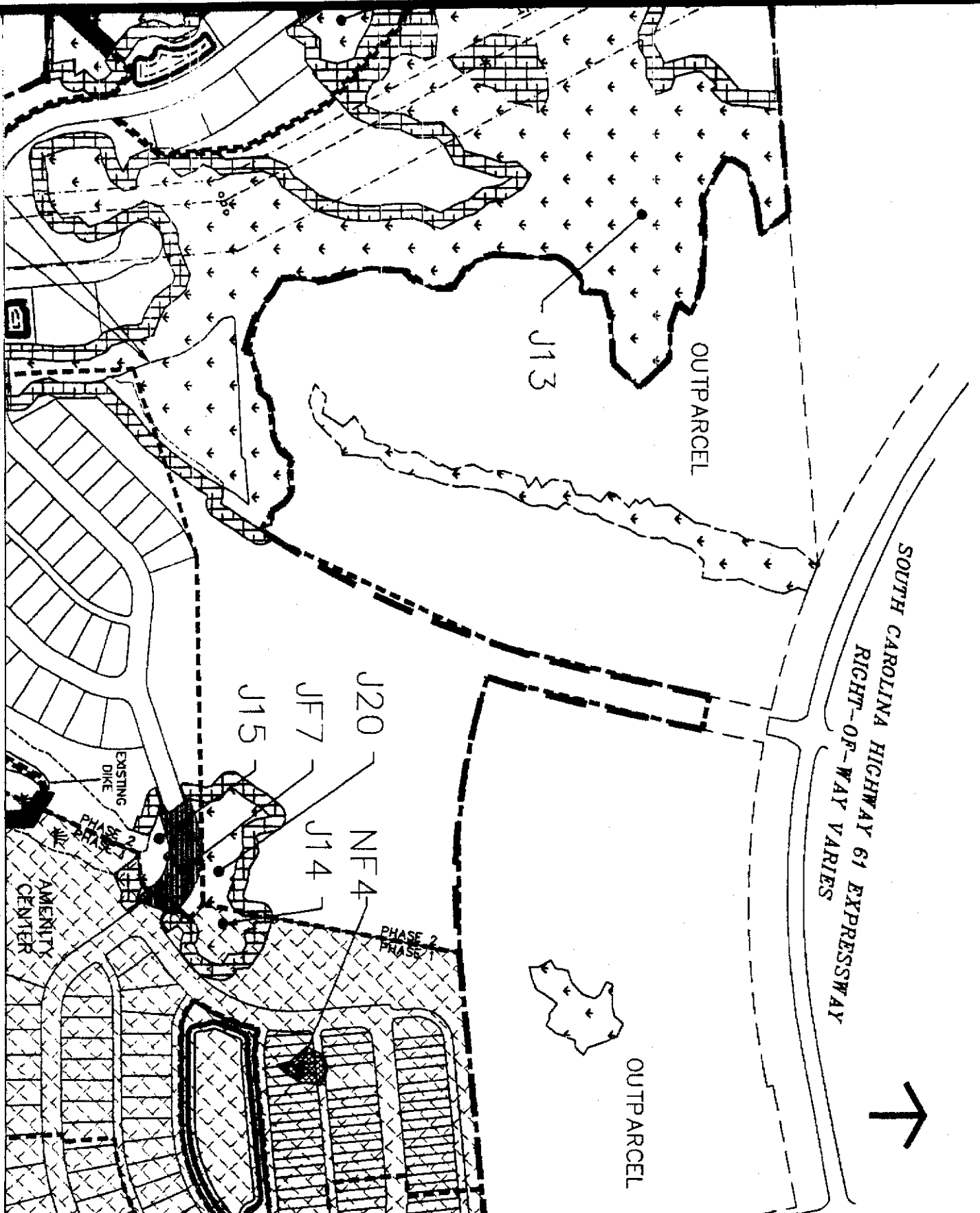
8' WIDE
BOARDWALK

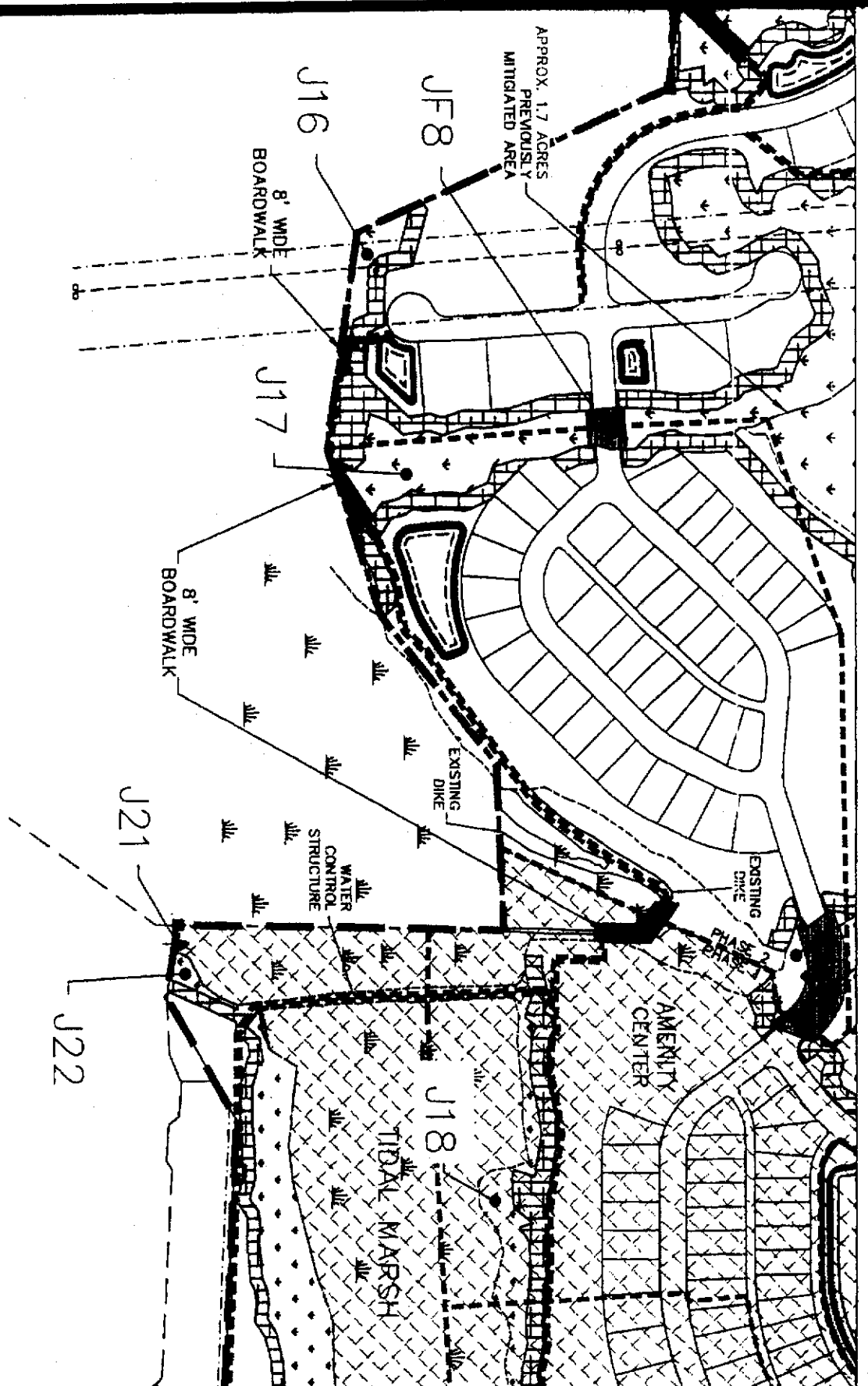
Project Bolton/Essex Tract Development
 Proposed Activity: Residential Development
 Applicant: Centex Homes, LLC
 County: Charleston County, SC
 Date: 05.01.06

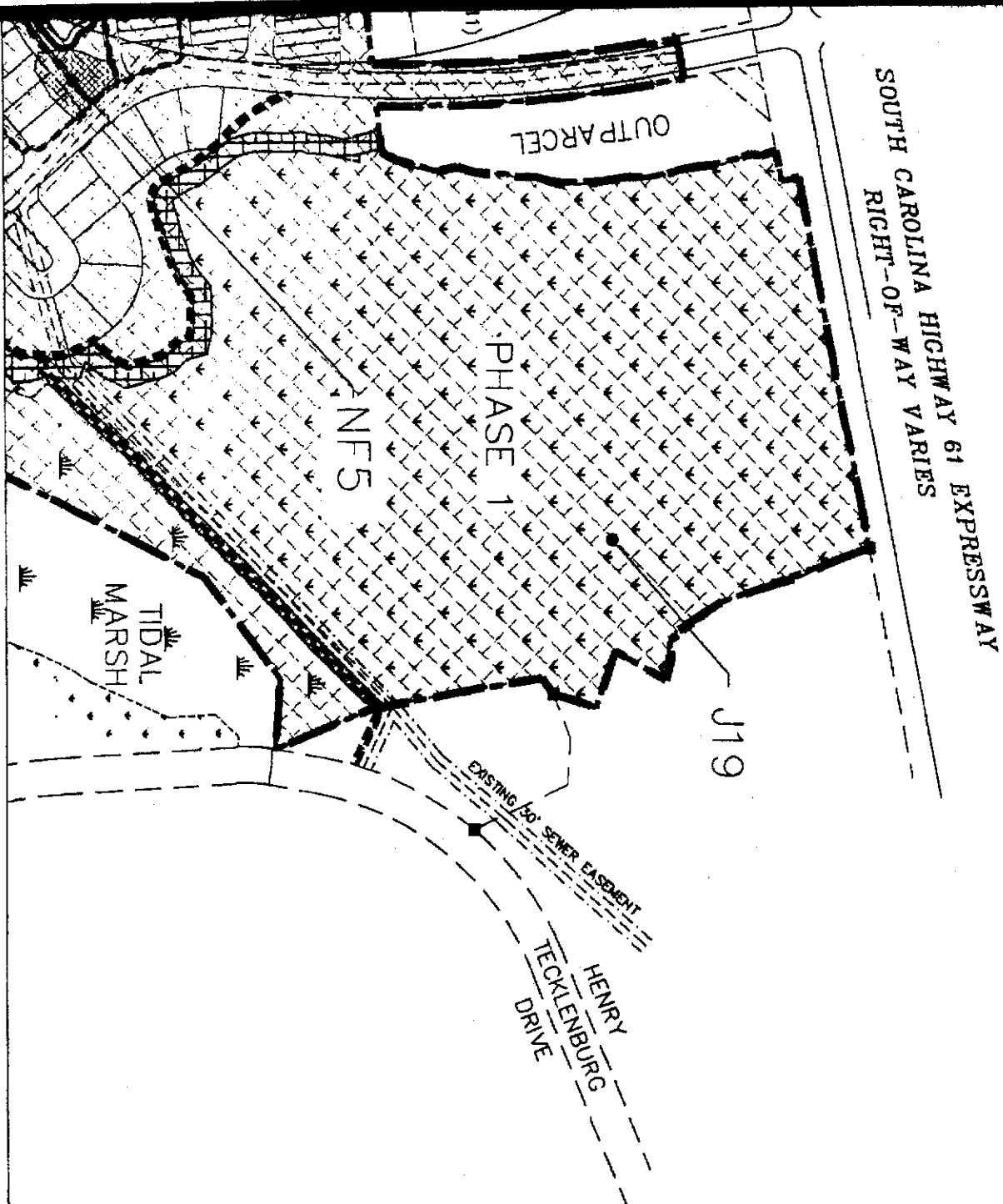
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WETLAND
MASTER PLAN

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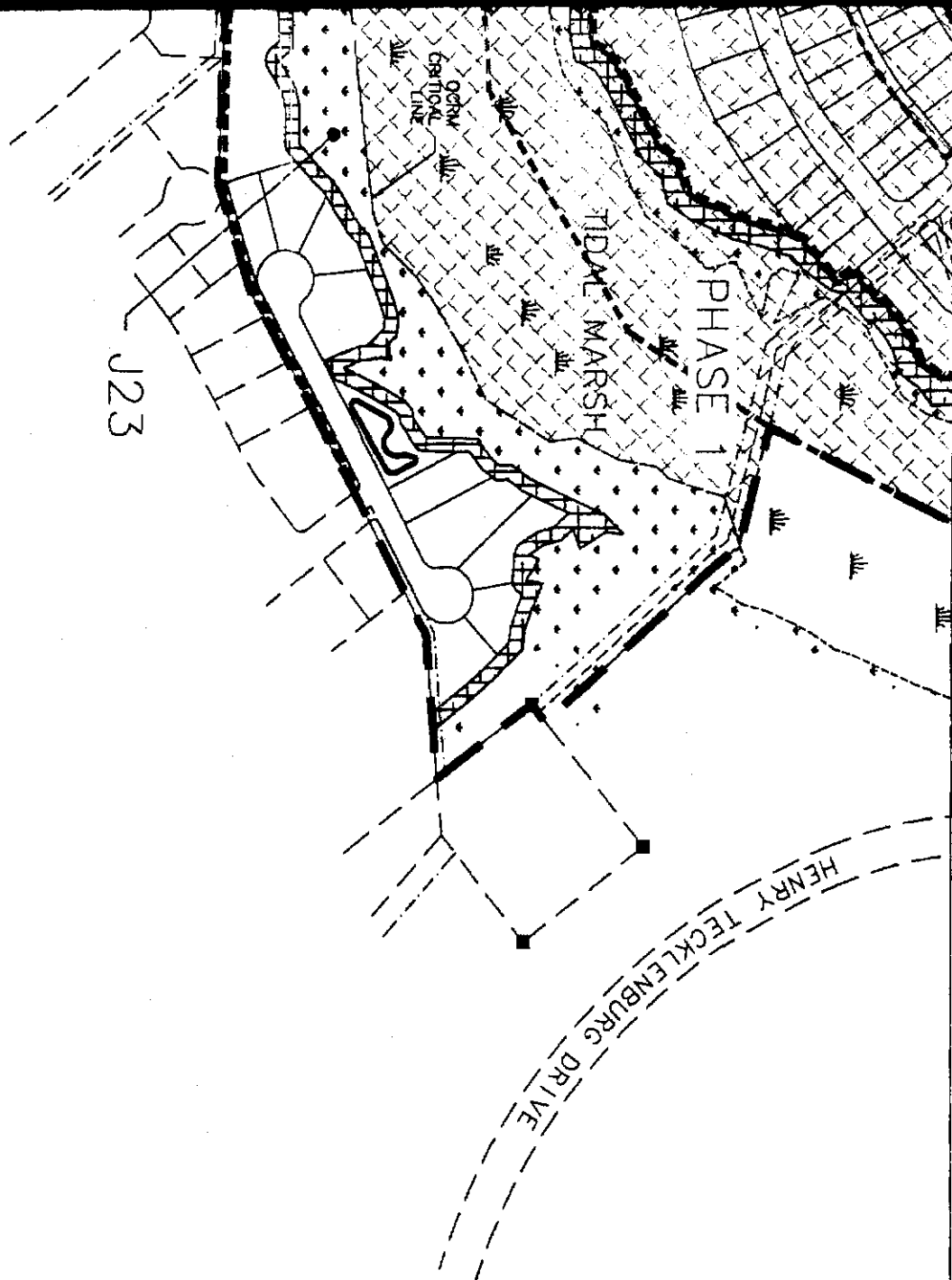


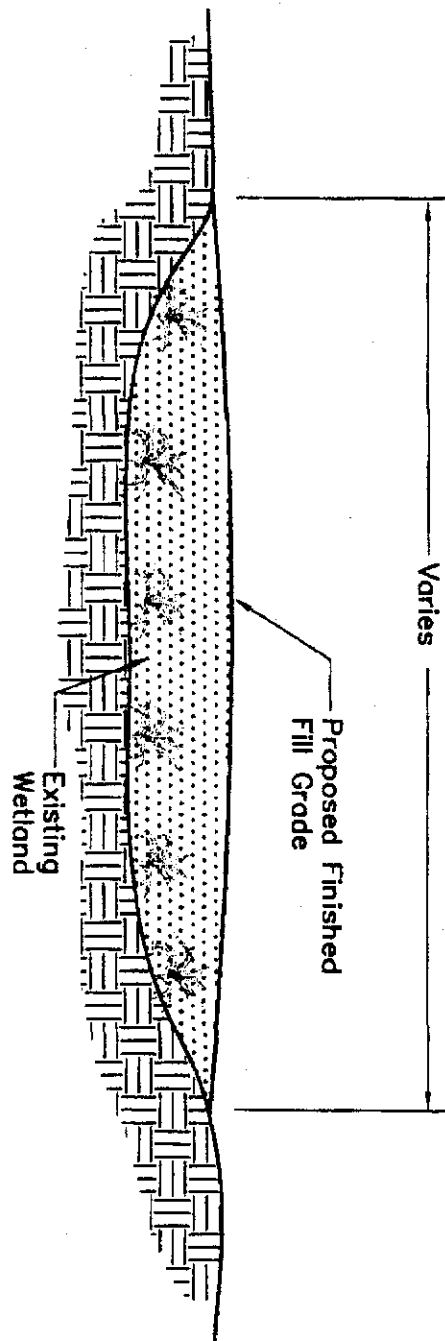
Project: Bolton/Essex Tract Development
 Proposed Activity: Residential Development
 Applicant: Centex Homes, LLC
 County: Charleston County, SC
 Date: 05.01.06

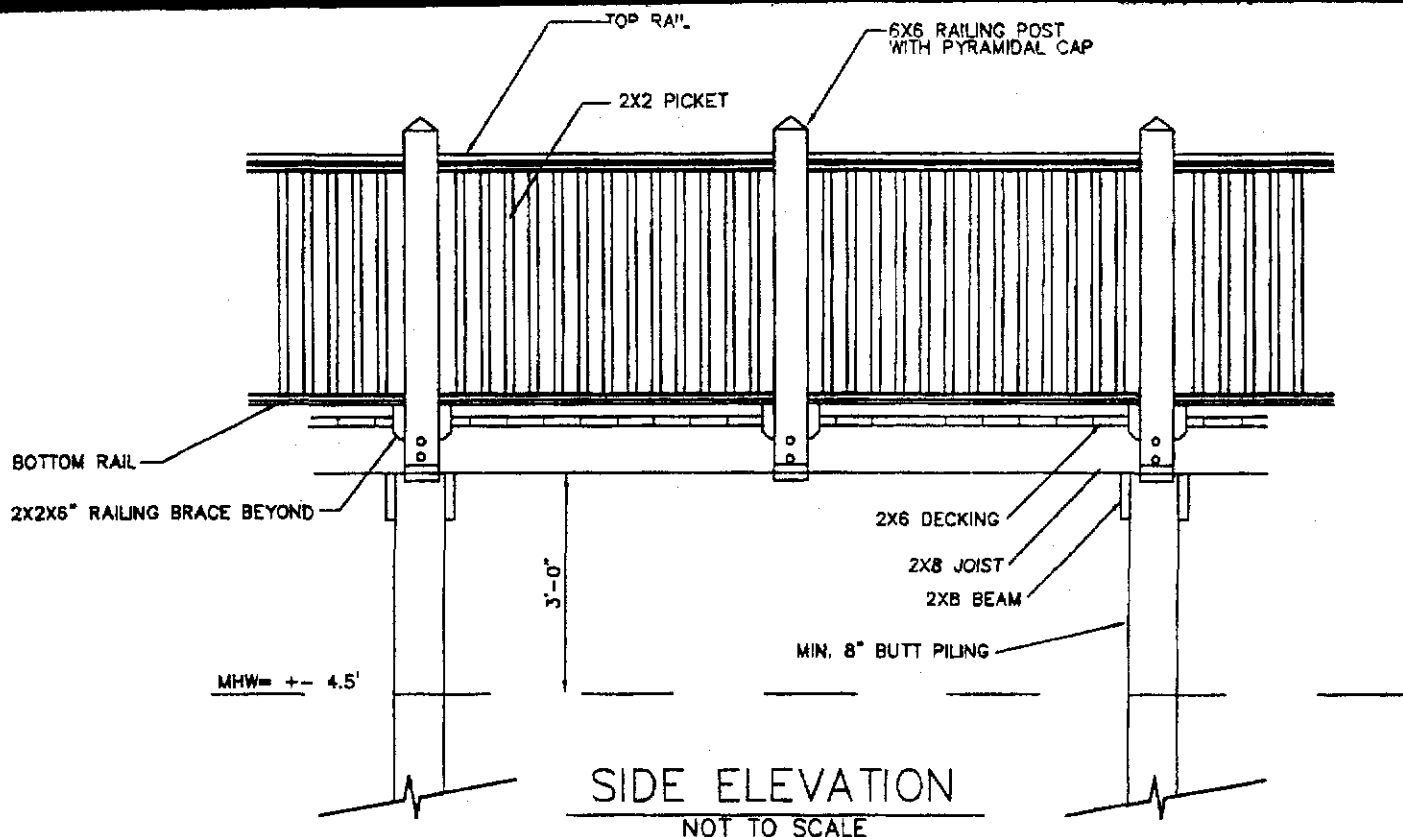
Scale: N.T.S.

WETLAND
MASTER PLAN

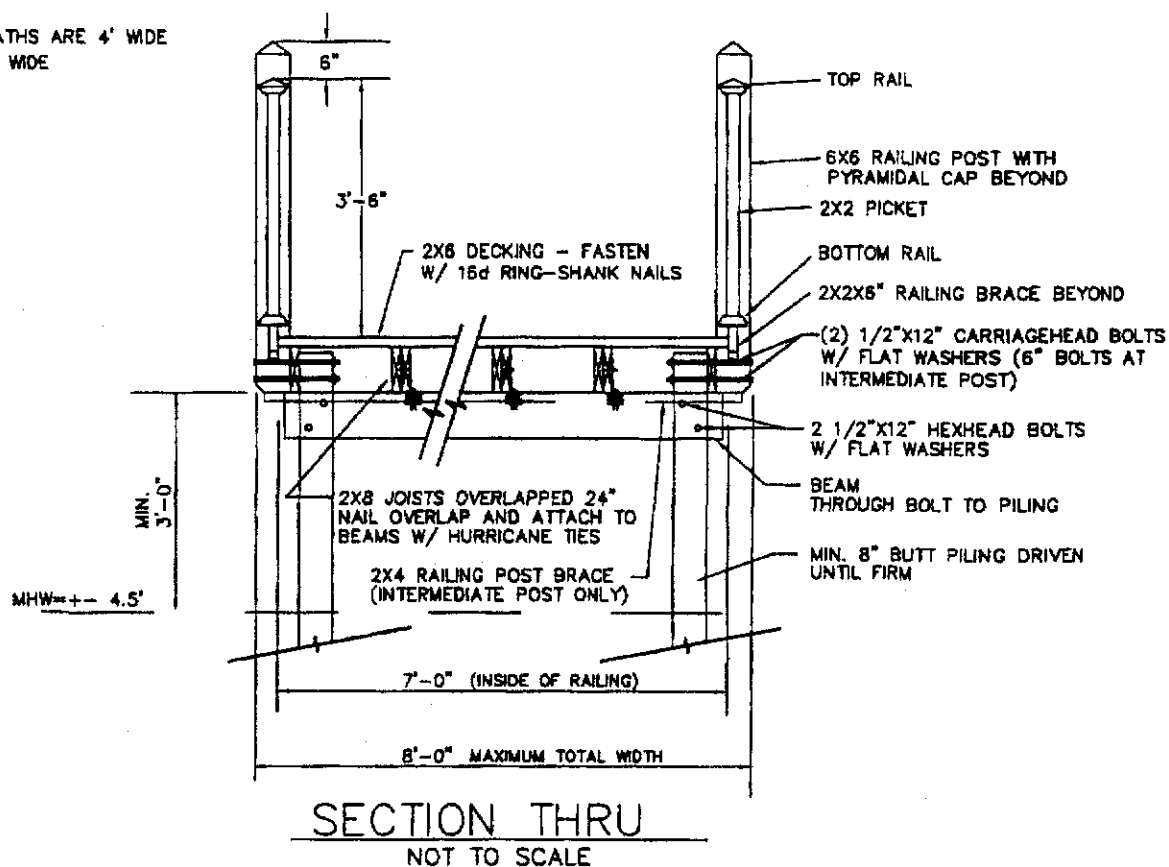
SH 12 of 16

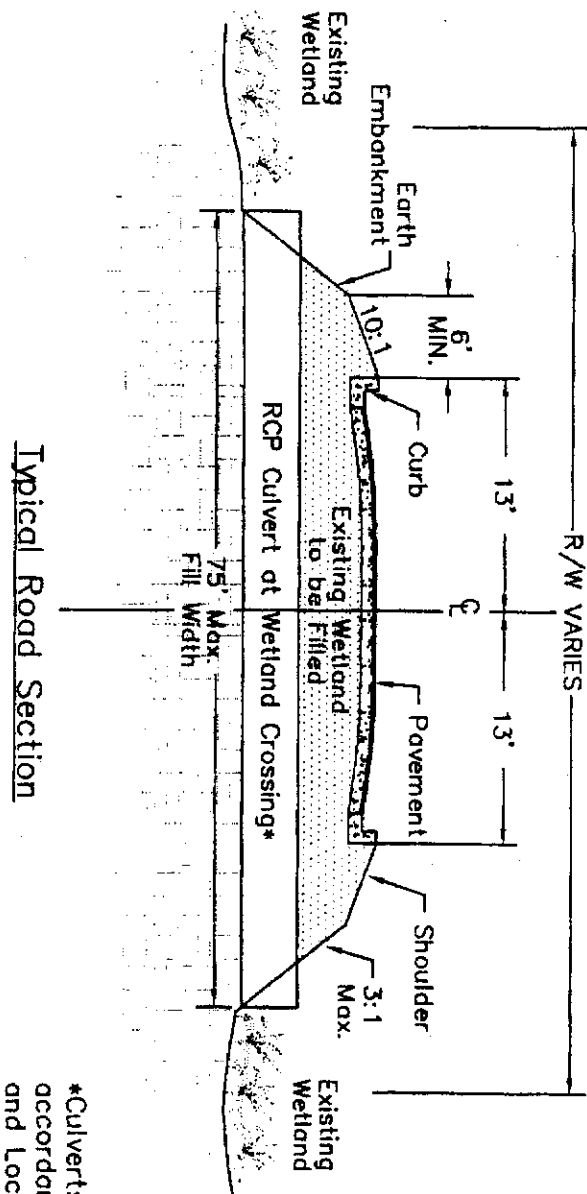






NOTE:
PEDESTRIAN ONLY PATHS ARE 4' WIDE
BOARDWALKS ARE 8' WIDE





Typical Road Section

*Culverts will be sized in accordance with OCRM and Local regulations

Centex Homes, LLC
Essex/Bolton Tract Development
April 25, 2006
ADVERSE IMPACT FACTORS FOR WETLANDS
AND OTHER WATERS OF THE U.S. EXCLUDING STREAMS

FACTORS	OPTIONS					
Lost Type	Type C 0.2		Type B 2.0		Type A 3.0	
Priority Category	Tertiary 0.5		Secondary 1.5		Primary 2.0	
Existing Condition	Very Impaired 0.1		Impaired 1.0	Slightly Impaired 2.0	Fully Functional 2.5	
Duration	Seasonal 0.1	0 to 1 0.2	1 to 3 0.5	3 to 5 1.0	5 to 10 1.5	Over 10 2.0
Dominant Impact	Shade 0.2	Clear 1.0	Dredge 1.5	Drain 2.0	Impound 2.5	Fill 3.0
Cumulative Impact	$0.05 \times \Sigma AA_1$					

Note: For the Cumulative Impact factor, ΣAA_1 stands for the sum of the acres of adverse impacts to aquatic areas for the overall project. When computing this factor, round to the nearest tenth decimal place using even number rounding. Thus 0.01 and 0.050 are rounded down to give a value of zero while 0.051 and 0.09 are rounded up to give 0.1 as the value for the cumulative impact factor. The cumulative impact factor for the overall project must be used in each area column on the Required Mitigation Credits Worksheet below.

Required Mitigation Credits Sample Worksheet

Factor	Area 1	Area 2	Area 3			
Lost Type	3.0	2.0	3.0			
Priority Category	0.5	0.5	0.5			
Existing Condition	2.5	2.5	2.5			
Duration	2.0	2.0	2.0			
Dominant Impact	3.0	3.0	1.0			
Cumulative Impact	0.1	0.1	0.1			
Sum of r Factors	$R_1 = 11.1$	$R_2 = 10.1$	$R_3 = 9.1$			
Impacted Area	$AA_1 = 1.281$	$AA_2 = 1.538$	$AA_3 = 0.144$			
$R \times AA =$	14.2	15.5	1.3			

Total Required Credits = $\Sigma (R \times AA) =$ 31.0

Area 1 = 404 Jurisdictional Wetland Fill
Area 2 = Isolated Non-jurisdictional Wetland Fill
Area 3 = 404 Jurisdictional Wetland Clearing

SAC 2006 - 1138 - 22

Centex Homes, LLC
Essex/Bolton Tract Development
April 25, 2006

**RESTORATION AND ENHANCEMENT MITIGATION FACTORS FOR WETLANDS AND OTHER WATERS OF
 THE U.S. EXCLUDING STREAMS**

Factors	Options				
	Minimal Enhancement 0.1	to			Excellent Restoration 4.0
Net Improvement					
Control	N.A. 0	Covenant Private 0.1	Covenant POA 0.2	Conservation Easement 0.4	Transfer Fee Title Conservancy 0.6
Temporal Lag	N.A.* 0	Over 20 -0.3	10 to 20 -0.2	5 to 10 -0.1	0 to 5 0
Credit Schedule	Schedule 5* 0	Schedule 4 0.1	Schedule 3 0.2	Schedule 2 0.3	Schedule 1 0.4
Kind	Category 5 -0.1	Category 4 0	Category 3 0.2	Category 2 0.3	Category 1 0.4
Location	Zone 5 -0.1	Zone 4 0	Zone 3 0.2	Zone 2 0.3	Zone 1 0.4

N.A. = Not Applicable

*Use this option to calculate credits for enhancement by buffering

Proposed Restoration or Enhancement Mitigation Sample Worksheet

Factor	Area 1				
Net Improvement	0.1				
Control	0.2				
Temporal Lag	0				
Credit Schedule	0				
Kind	0.4				
Location	0.4				
Sum of m Factors	$M_1 = 1.1$				
Mitigation Area	$A_1 = 31.646$				
$M \times A =$	34.8				

Total Restoration/Enhancement Credits = $\sum (M \times A) =$ 34.8

Area 1= Buffer Enhancement

SAC 2006-1138-2IG

**Centex Homes, LLC
Essex/Bolton Tract Development
April 25, 2006**

**PRESERVATION MITIGATION FACTORS FOR WETLANDS AND OTHER WATERS OF THE U.S.
EXCLUDING STREAMS**

Factors	Options				
	Tertiary 0.1	Secondary 0.2		Primary 0.4	
Existing Condition	Impaired -0.1	Slightly Impaired 0		Fully Functional 0.1	
Degree of Threat	Low -0.1	Moderate 0.1		High 0.2	
Control	Covenant Private 0	Covenant POA 0.1	Conservation Easement 0.4	Transfer Fee Title Conservancy 0.6	
Kind	Category 5 -0.1	Category 4 0	Category 3 0.1	Category 2 0.2	Category 1 0.3
Location	Zone 5 -0.1	Zone 4 0	Zone 3 0.1	Zone 2 0.2	Zone 1 0.3

None: Preservation credit should generally be limited to those areas that qualify as Fully Functional or Slightly Impaired. Impaired sites should be candidates for enhancement or restoration credit, not preservation credit. In special circumstances when impaired sites are allowed preservation credit (e.g. within the scope of some OCRM wetland master planned projects), a negative factor will be used to calculate credits as per the matrix table.

Proposed Preservation Mitigation Sample Worksheet

Factor	Area 2				
Priority Category	0.1				
Existing Condition	0.1				
Degree of Threat	0.1				
Control	0.1				
Kind	0.3				
Location	0.3				
Sum of m Factors	$M_1 = 1.0$				
Mitigation Area	$A_1 = 33.732$				
$M \times A =$	33.7				

Total Preservation Credits = $\sum (M \times A) =$ 33.7

Area 2 = Wetland Preservation

SAC 2006-1138-2IG

Centex Homes, LLC
Essex/Bolton Tract Development
April 25, 2006

WETLANDS AND OTHER WATERS OF THE U.S. EXCLUDING STREAMS
Mitigation Summary Worksheet For Permit Application # SAC 2006-1138-2IG

I. Required Mitigation

A. Total Required Mitigation Credits = 31.0

II. Non-Banking Mitigation Credit Summary	Credits	Acres
B. Creation		
C. Restoration and/or Enhancement (non-Buffer Enhancement)		
D. Restoration and/or Enhancement (Buffer Enhancement)	34.8	31.646
E. Total No Net Loss Non-Bank Mitigation = B + C + D	34.8	31.646
F. Preservation	33.7	33.732
G. Total Proposed Non-Bank Mitigation = E + F	68.5	65.378

III. Banking Mitigation Credit Summary	Credits	Acres
H. Creation		
I. Restoration and/or Enhancement (non-Buffer Enhancement)		
J. Restoration and/or Enhancement (Buffer Enhancement)		
K. Total No Net Loss Bank Mitigation = H + I + J		
L. Preservation		
M. Total Proposed Bank Mitigation = K + L		

IV. Grand Totals	Credits	Acres
N. Total Preservation Mitigation = F + L	33.7	33.732
O. Total Non-Preservation Mitigation = E + K	34.8	31.646
P. Total Creation = B + H		
Q. Total Restoration and/or Enhancement (Non-Buffer Enhancement) = C + I		
R. Total Proposed Mitigation = G + M	68.5	65.378

SAC 2006-1138-2IG

Centex Homes, LLC
Essex/Bolton Tract Development
April 25, 2006

The Total Mitigation Credits (Row R) should be equal to or greater than the total Required Mitigation Credits (Row A) for the proposed mitigation to be acceptable. The other requirements given in the SOP must also be satisfied, e.g., in the credits column, Row O must equal at least 50% of Row A and the addition of Row P and Row Q must equal at least 25% of Row A. If the answer to any of the questions below is no, then the proposed mix and/or quantity of mitigation is not in compliance with the policy and the plan should be revised or rejected, unless a variance is approved.

	Yes	No
$PMC \geq RMC$ or in words Are the credits in Row R greater than or equal to Row A?	X	
$PMC_{Non-Preservation} \geq \frac{1}{2} RMC$ or in words Are the credits in Row O greater than or equal to 50% of Row A?	X	
$PMC_{Creation + Restoration/Enhancement (Non-Buffer Enhancement)} \geq \frac{1}{4} RMC$ or in words Are the credits in Row P plus the credits in Row Q greater than or equal to 25% of Row A?		X

SAC - 2006-1138-ZIG